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CIRCUIT CLERK

COOK COUNTY, IL

2020L003473

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(08/01/18) CCG 0001 A

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Rita Karlo

(Name all parties)

v.

St. Augustine College

Case No. 2020-L-003473

☒ SUMMONS ☐ ALIAS SUMMONS

To each Defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance and pay the required fee **within thirty (30) days after service of this Summons**, not counting the day of service. To file your answer or appearance you need access to the internet. Please visit www.cookcountyclerkofcourt.org to initiate this process. Kiosks with internet access are available at all Clerk's Office locations. Please refer to the last page of this document for location information.

If you fail to do so, a judgment by default may be entered against you for the relief requested in the complaint.

To the Officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than thirty (30) days after its date.

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Page 1 of 3

EXHIBIT A



Summons - Alias Summons

(08/01/18) CCG 200012B 8 7 *

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Atty. No.: 59980

Witness: _____

Atty Name: Wallace Hilke

7/6/2020 3:55 PM DOROTHY BROWN

Atty. for: Rita Karlo

DOROTHY BROWN, Clerk of

Address: 17 North State Street, Suite 1380

City: Chicago

Date of Service: _____

State: IL Zip: 60602

(To be inserted by officer on copy left with Defendant or other person):

Telephone: (312) 973-7308

Primary Email: whilke@beyondlegalaid.org

Dorothy Brown, Clerk of the Circuit Court of Cook County, Illinois
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Page 2 of 3

EXHIBIT A



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CLERK OF THE CIRCUIT COURT OF COOK COUNTY OFFICE LOCATIONS

- ☒ Richard J Daley Center
50 W Washington
Chicago, IL 60602
- ☐ District 2 - Skokie
5600 Old Orchard Rd
Skokie, IL 60077
- ☐ District 3 - Rolling Meadows
2121 Euclid
Rolling Meadows, IL 60008
- ☐ District 4 - Maywood
1500 Maybrook Ave
Maywood, IL 60153
- ☐ District 5 - Bridgeview
10220 S 76th Ave
Bridgeview, IL 60455
- ☐ District 6 - Markham
16501 S Kedzie Pkwy
Markham, IL 60428
- ☐ Domestic Violence Court
555 W Harrison
Chicago, IL 60607
- ☐ Juvenile Center Building
2245 W Ogden Ave, Rm 13
Chicago, IL 60602
- ☐ Criminal Court Building
2650 S California Ave, Rm 526
Chicago, IL 60608
- ☐ Domestic Relations Division
Richard J Daley Center
50 W Washington, Rm 802
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
- ☐ Civil Appeals
Richard J Daley Center
50 W Washington, Rm 801
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
- ☐ Criminal Department
Richard J Daley Center
50 W Washington, Rm 1006
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- ☐ County Division
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- ☒ Law Division
Richard J Daley Center
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Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
- ☐ Traffic Division
Richard J Daley Center
50 W Washington, Lower Level
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
- Daley Center Divisions/Departments**
- ☐ Civil Division
Richard J Daley Center
50 W Washington, Rm 601
Chicago, IL 60602
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- ☐ Chancery Division
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50 W Washington, Rm 802
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| <p><input checked="" type="checkbox"/> Richard J Daley Center
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12-Person Jury



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 DOROTHY BROWN
 CIRCUIT CLERK
 COOK COUNTY, IL
 2020L003473

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 COUNTY DEPARTMENT, LAW DIVISION

RITA KARLO,)	8929816
Plaintiff,)	PLAINTIFF DEMANDS
)	TRIAL BY JURY
)	
v.)	No. 2020L003473
)	
ST. AUGUSTINE COLLEGE,)	
Defendant.)	
)	

COMPLAINT

Plaintiff Rita Karlo ("Karlo"), by and through her attorneys, Wally Hilke and Alyssa Coffey of Beyond Legal Aid, for her Complaint against Defendant, St. Augustine College ("St. Augustine") brings this action to seek payment of wages in violation of the Equal Pay Act, 29 U.S.C.S. § 206(d)(1) and states as follows:

Introduction

1. This action arises under the Illinois Equal Pay Act of 2003, 820 ILCS 112/1 *et seq.* ("IEPA"), and the Equal Pay Act, 29 U.S.C. § 206 *et seq.* ("EPA").

Jurisdiction and Venue

2. Karlo is a female and a citizen of the United States, residing in Chicago, Cook County, Illinois.
3. St. Augustine is a not-for-profit corporation, that among a variety of other services, provides accredited academic programs for post-high school students. St. Augustine has five campuses in Illinois.
4. St. Augustine is registered to conduct business in the State of Illinois.
5. St. Augustine has approximately 300 employees.



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6. Jurisdiction over the subject matter of this litigation exists under 735 ILCS 5/2-209.
7. Venue is proper in the court because the unlawful conduct complained of herein took place in Chicago, Cook County.

Factual Allegations

8. Plaintiff worked for Defendant beginning on or around July of 1998 up until her termination in July 2017.
9. During that time, Plaintiff started as an accounts payable clerk and worked her way up to Full-time Faculty in 2002 and up until the time she was terminated on or around May 2017.
10. At the time Plaintiff was terminated, she was making approximately \$49,000 a year.
11. Plaintiff has a Bachelor's Degree from Columbia College and a Master's Degree in Educational Leadership from The University of Illinois, Springfield.
12. Karlo and her male counterparts performed work that required substantially similar skill, effort and responsibilities.
13. Karlo and her male counterparts performed work under similar working conditions.
14. Karlo consistently received good to excellent evaluations of her teaching performance.
15. Karlo's male counterparts were paid at a higher rate than Karlo. For example, Karlo was paid approximately \$4,000 less than fellow faculty member Juvenal Nava (before his promotion to Chair,) even though Karlo and Mr. Nava both had Master's Degrees and both had similar lengths of tenure at St. Augustine.
16. Karlo raised concerns about her unequal pay with various managers at St. Augustine, including Dean Madeline Roman-Vargas, her supervisor Juvenal Nava, President Andrew Sund, and Faculty Committee Chair Eddie Del Carmen.



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17. The managers at St. Augustine told Karlo that her male counterpoints earned more than she did because the College was in financial trouble, and because Karlo was “working against them” by raising issues of pay inequality through online posts and by organizing other teachers to advocate for their working conditions.
18. Karlo continued to raise issues of gender inequity and salary disparities until the time of her termination on or around May 2017.

Count I: Violation of the Illinois Equal Pay Act of 2003 Violations

19. Plaintiff incorporates the preceding paragraphs as though fully set forth in this Count.
20. Defendant knowingly paid Plaintiff substantially less than her male counterparts for the same or substantially similar work in the same or substantially similar working conditions.
21. As a result of this unequal pay, Plaintiff has suffered loss of income, emotional distress, and future lost income and profits.

WHEREFORE, Plaintiff respectfully requests that this Court:

- A. Enter a finding that Defendant violated the Illinois Equal Pay Act;
- B. Award Plaintiff lost wages and benefits;
- C. Award Plaintiff liquidated damages;
- D. Award punitive and/or compensatory damages against Defendant;
- E. Award Plaintiff such injunctive relief as may be appropriate, including reinstatement of Plaintiff to her former position;
- F. Award Plaintiff attorneys’ fees and costs; and,
- G. Award Plaintiff any further relief that the Court may deem just and appropriate.

Count II: Violation of the Equal Pay Act



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22. Plaintiff incorporates the preceding paragraphs as though fully set forth in this Count.
23. The reason for the pay differential cited by St. Augustine is not a legally recognized defense to an Equal Pay Act claim.
24. St. Augustine's violation of the Equal Pay Act was a willful violation in that St. Augustine acted with intent to violate and to continue violating the Equal Pay Act and/or with reckless disregard for the matter of whether it was violating the Equal Pay Act. Ms. Karlo raised the issue of unequal pay to her managers, but St. Augustine ignored the issue and failed to remedy it.
25. Defendant knowingly paid Plaintiff substantially less than her male counterparts for the same or substantially similar work in the same or substantially similar working conditions.
26. As a result of the unequal pay, Plaintiff has suffered loss of income, emotional distress, and future lost income and profits.

WHEREFORE, Plaintiff respectfully requests that this Court:

- A. Enter a finding that Defendant violated the Equal Pay Act;
- B. Award Plaintiff lost wages and benefits;
- C. Award Plaintiff liquidated damages;
- D. Award punitive and/or compensatory damages against Defendant;
- E. Award Plaintiff attorneys' fees and costs; and,
- F. Award Plaintiff any further relief that the Court may deem just and appropriate.

Count III: Retaliation in Violation of the Illinois Equal Pay Act

27. Plaintiff incorporates the preceding paragraphs as though fully set forth in this Count.



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28. Plaintiff engaged in protected conduct when she complained about being paid significantly less than her male counterparts.
29. Defendant intentionally retaliated against Plaintiff by placing her on probation and terminating her employment, and by refusing to remedy the ongoing pay disparity.
30. Defendant engaged in the aforesaid retaliatory acts with malice and/or with reckless indifference to Plaintiff's federally protected rights under the Illinois Equal Pay Act.
31. As a direct and proximate result of said acts, Plaintiff has suffered loss of income, emotional distress, and future lost income and profits.

WHEREFORE, Plaintiff respectfully requests that this Court:

- A. Enter a finding that Defendant retaliated against Plaintiff in violation of the Illinois Equal Pay Act;
- B. Award Plaintiff lost wages;
- C. Award Plaintiff liquidated damages;
- D. Award punitive and/or compensatory damages against Defendant;
- E. Award Plaintiff such injunctive relief as may be appropriate, including reinstatement of Plaintiff to her former position;
- F. Award Plaintiff attorneys' fees and costs; and,
- G. Award Plaintiff any further relief that the Court may deem just and appropriate.

Count IV: Retaliation in Violation of the Equal Pay Act

32. Plaintiff incorporates the preceding paragraphs as though fully set forth in this Count.
33. Plaintiff engaged in protected conduct when she complained about being paid significantly less than her male counterparts.



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34. Defendant intentionally retaliated against Plaintiff by placing her on probation and terminating her employment, and by refusing to remedy the ongoing pay disparity.
35. Defendant engaged in the aforesaid retaliatory acts with malice and/or with reckless indifference to Plaintiff's federally protected rights under the Equal Pay Act.
36. As a direct and proximate result of said acts, Plaintiff has suffered loss of income, emotional distress, and future lost income and profits.

WHEREFORE, Plaintiff respectfully requests that this Court:

- A. Enter a finding that Defendant violated the Equal Pay Act;
- B. Award Plaintiff lost wages and benefits;
- C. Award Plaintiff liquidated damages;
- D. Award punitive and/or compensatory damages against Defendant;
- E. Award Plaintiff attorneys' fees and costs; and,
- F. Award Plaintiff any further relief that the Court may deem just and appropriate.

Respectfully submitted,

RITA KARLO

By: /s/ Wallace Hilke

One of Plaintiff's Attorneys

Wallace Hilke
Beyond Legal Aid
17 North State Street
Suite 1380
Chicago, IL 60602
Phone:(312) 973-7308
Fax: (312) 999-0076
whilke@beyondlegalaid.org
Attorney No: 59980

Alyssa Coffey
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Attorney No: 59980

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SUPREME COURT RULE 222 AFFIDAVIT

The total of money damages sought in this civil action exceed \$50,000.

/s/ Wallace Hilke

Wallace Hilke

One of Plaintiff's Attorneys

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